

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CUONG HUY DAO,

Plaintiff,

v.

P. TABOR, et al.,

Defendants.

No. 2: 22-cv-0846 TLN KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. For the reasons stated herein, defendants' motion to withdraw the motion to compel (ECF No. 58) is granted.

On October 6, 2023, defendants filed a motion to compel. (ECF No. 47.) On October 12, 2023, defendants filed a supplemental motion to compel. (ECF No. 49.)

On November 15, 2023, defendants filed the pending motion to withdraw the motion to compel. (ECF 58.) In the motion to withdraw, defendants state that on November 3, 2023, plaintiff confirmed that he provided all documents to defendants that he plans to use should the case go to trial and that he does not possess any other responsive documents at this time. (*Id.*)

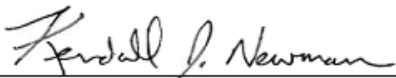
In the pleading filed November 3, 2023, plaintiff states that he provided defendants with all documents in his possession. (ECF No. 56 at 2.) Good cause appearing, defendants' motion to withdraw the motion to compel, including the supplemental motion to compel, is granted.

1 In the November 3, 2023 pleading, plaintiff states that he will recopy and send defendants
2 documents that he previously provided to defendants. (ECF No. 56.) Plaintiff is not required to
3 send defendants previously provided documents because the motion to compel and supplemental
4 motion to compel are withdrawn.

5 Good cause appearing, IT IS HEREBY ORDERED that:

- 6 1. Defendants' motion to withdraw the motion to compel (ECF No. 58) is granted; and
- 7 2. Defendants' motion to compel and supplemental motion to compel (ECF Nos. 47, 49)
- 8 are withdrawn.

9 Dated: November 17, 2023

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11 KENDALL J. NEWMAN
12 UNITED STATES MAGISTRATE JUDGE
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